



**DECLARATION OF JOHN TOCCALINO IN SUPPORT OF
PETITION OF GOOGLE FIBER INC.
FOR MODIFICATION SO AS TO CLARIFY DECISION 07-03-014**

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7-03-14
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I, John Toccino, depose and state:

1. I am employed by Google Inc. as Manager, Outside Plant Engineering, and I work on the fiber-to-the-home builds being performed by Google Fiber Inc. ("Google Fiber") in the Kansas City designated market area in Kansas and Missouri, in Provo, Utah, and in Austin, Texas. My main responsibilities include, among other matters, designing Google Fiber's network and obtaining proper construction permits. For the Kansas City and Provo projects, I oversaw the contractors that built the network by installing fiber on utility poles and in ducts and conduit.

2. Google Fiber was incorporated in June 2010, and had no predecessor. Thus, it was unable to participate in the proceeding that resulted in the issuance of D.07-03-014. Further, Google Fiber's needs to attach fiber to utility infrastructure arose more than one year after the Decision's effective date.

3. Access to poles, ducts, conduits, and rights of way expedites deployment of broadband and video services, whereas delays in obtaining access from owners of poles and other infrastructure, or unreasonable conditions on attachment, can bring deployment to a halt.

4. As a general matter, obtaining permits and leasing space on poles and within the public right of way can total up to 20% of the cost of a fiber optic deployment. Restrictions on infrastructure access can cause deployment costs to skyrocket, particularly if a provider is forced to place its cables underground.

5. Google Fiber announced that it would deploy a fiber-to-the-home network in the Kansas City designated market area in March 2011. In April 2013, Google Fiber announced that it would deploy fiber networks in Austin, Texas, and Provo, Utah.

6. Google Fiber has faced uncertainties about the timing of its rollout of competitive, residential fiber-to-the home broadband and video services due to the lack of or delayed access to poles, ducts, and conduits at reasonable and nondiscriminatory terms and conditions. Obtaining pole attachment rights significantly slowed Google Fiber's deployments in both Kansas City and Austin, and continues to hamper Google Fiber's ability to build in potential new markets. Some incumbents have declined to even begin pole attachment negotiations with Google Fiber, and one of these came to the table only after many months of effort by Google Fiber.

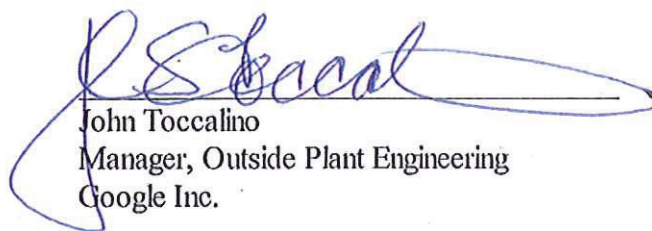
7. In August 2011, Google Fiber received a state franchise as a video service provider. In February 2014, Google Fiber announced that it is exploring offering service in an additional 34 communities located in nine metropolitan areas across the country. Five of those potential communities are located in the San Jose metropolitan area in California (i.e., San Jose, Mountain View, Santa Clara, Sunnyvale, and Palo Alto).

8. Google Fiber seeks to attach fiber cables and associated equipment to utility poles

in the public rights-of-way. That equipment will be used by Google Fiber to provide Commission-franchised video services and broadband Internet access in competition with telecommunications carriers and cable corporations. Because Google Fiber's facilities are the same as existing wireline facilities attached to utility poles by telecommunications carriers and cable corporations, its facilities raise no technical or policy issues different than those of existing attachers.

9. Google Fiber seeks clarification of D.07-03-014 to eliminate the business uncertainty and unnecessary time and expenses that may result from lack of nondiscriminatory access to poles, ducts, conduits, and rights of way by franchised video service providers. Attachments by video service providers are materially identical to those of cable operators. Thus, the requested clarification of D.07-03-014 would present no implementation or safety issues.

Under penalty of perjury, I declare the above to be true and correct to the best of my knowledge.



John Tocalino
Manager, Outside Plant Engineering
Google Inc.

Dated this 23rd day of June 2014